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PATENT COOPERATION TREATY

PCT

REC'D 22 JUN 2001
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference SH/JEC/44127	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/GB99/02722	International filing date (day/month/year) 18/08/1999	Priority date (day/month/year) 27/03/1999
International Patent Classification (IPC) or national classification and IPC A63B21/05		
Applicant POCKET GYM LIMITED et al.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 7 sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application</p>		

Date of submission of the demand 24/10/2000	Date of completion of this report 20.06.2001
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Vurro, L Telephone No. +49 89 2399 2951



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB99/02722

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):
Description, pages:

5-16 as originally filed

1-4,17 as received on 12/04/2001 with letter of 11/04/2001

Claims, No.:

1-12 as received on 12/04/2001 with letter of 11/04/2001

Drawings, sheets:

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB99/02722

the description, pages:

the claims, Nos.:

the drawings, sheets:

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 1-12
	No: Claims
Inventive step (IS)	Yes: Claims 1-12
	No: Claims
Industrial applicability (IA)	Yes: Claims 1-12
	No: Claims

**2. Citations and explanations
see separate sheet**

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB99/02722

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1). Reference is made to the following documents:

D1: US-A-5 046 726 (D1)

D2: US-A-4 863 162 (D2)

Document D1, which is considered to represent the most relevant state of the art for claim 1, discloses (cf. Figure 1 and 2; col. 1, lines 32-50) an exerciser, comprising many of the features claimed in claim 1 of the present internationally application.

- 2). The subject-matter of claim 1 differs from the exerciser described in (D1) in that: "the first and second handling members are freely rotatable with respect to each other".

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

The solution of the invention is achieved by using the combination of features claimed in independent claim 1.

Such arrangement is neither disclosed nor suggested by the prior art. Therefore, the subject matter of claim 1 is new and inventive.

- 3). Dependent claims 2-12 refer to particular embodiments of claims 1 and as consequences are also new and inventive.
- 4). Industrial application seems to be possible without any particular difficulties.

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
PCT/GB 99/ 02722	18/08/1999	27/03/1999
Applicant POCKET GYM LIMITED et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form.

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. **Certain claims were found unsearchable** (See Box I).

3. **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.

because the applicant failed to suggest a figure.

because this figure better characterizes the invention.

1

None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB 99/02722

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

Line 1 after "body" insert "(1)"
Line 2 after "body" insert "(1)"
Line 4 after "handles" insert "(6,7)", after "body" insert "(1)", after
"handles" insert "(6,7)"
Line 5 after "body" insert "(1)"
Line 6 after "handles" insert "(6,7)"

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 99/02722

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A63B21/05

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A63B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 046 726 A (VAN STRAATEN WILLEM J) 10 September 1991 (1991-09-10) column 1, line 32 -column 1, line 50; figures 1,2	1,3,6,9, 12
A	US 4 863 162 A (NECKAMM HARALD ET AL) 5 September 1989 (1989-09-05) column 2, line 25 -column 3, line 8; figure 1	4,7,8,13
X	US 2 106 994 A (CHAPMAN ARTHUR W) 1 February 1938 (1938-02-01) column 1, line 25 -column 2, line 5; figures 2,3	1,4,6,12
A	US 5 538 486 A (FRANCE E PAUL ET AL) 23 July 1996 (1996-07-23) abstract; figure 1	2,7,8,13
A	US 2 106 994 A (CHAPMAN ARTHUR W) 1 February 1938 (1938-02-01) column 1, line 25 -column 2, line 5; figures 2,3	1,3,6,9, 12
A	US 5 538 486 A (FRANCE E PAUL ET AL) 23 July 1996 (1996-07-23) abstract; figure 1	13
		10,11

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"E" earlier document but published on or after the international filing date

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"O" document referring to an oral disclosure, use, exhibition or other means

"S" document member of the same patent family

"P" document published prior to the international filing date but later than the priority date claimed

Date of the actual completion of the international search

Date of mailing of the international search report

12 November 1999

25/11/1999

Name and mailing address of the ISA

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Authorized officer

Feber, L

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 99/02722

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5046726	A	10-09-1991	AU 5075890 A		29-08-1991
			GB 2240483 A, B		07-08-1991
US 4863162	A	05-09-1989	AT 382786 B		10-04-1987
			AT 386344 B		10-08-1988
			AT 79685 A		15-09-1986
			EP 0195288 A		24-09-1986
			JP 1694763 C		17-09-1992
			JP 3060279 B		13-09-1991
			JP 61240975 A		27-10-1986
			AT 140985 A		15-01-1988
US 2106994	A	01-02-1938	NONE		
US 5538486	A	23-07-1996	NONE		